REMARKS

The Office Action mailed February 5, 2009 has been reviewed and reconsideration of the above-identified application in view of the following amendments and remarks is respectfully requested

Claims 1-15 are pending and stand rejected.

Claims 1 and 12 are independent claims.

Claims 1, 6, 8, 11, 12, 14 and 15 have been amended.

The Oath/Declaration is objected to for not including the citizenship of the inventors. The drawings are objected to for showing the same reference labels for different icons on different figures, for not including reference labels in Figure 2 and for not including labels in the blocks. The Specification is objected-to for not including section headings and for including informalities in para. 0040. Claims 3 and 6 are objected to for including incorrect reference labels. Claims 9, 11 and 14-15 stand rejected under 35 USC 112, first paragraph as failing to comply with the written description. Claim 13 stand rejected under 35 USC 112, second paragraph as being indefinite. Claims 1-10 and 12-15 stand rejected under 35 USC 103(a) as being unpatentable over Ridge (PCT Printed Publication WO02/29715).

With regard to the objection to the Oath/Declaration, applicant submits herewith a Supplemental Oath/Declaration, executed by the inventors, showing the citizenship of each inventor.

For the submission of a Supplemental Oath/Declaration, applicant submits that the reason for the objection has been overcome.

With regard to the objection to the Drawings, applicant submits herewith amended Figures 1-3, annotated as Replacement Sheets, correcting duplicate labels, including missing labels and adding text to each of the illustrated boxes. No new matter has been added.

Entry of the amended Figures 1-3 is respectfully requested.

· With regard to the objection to the Specification for not including header information, applicant respectfully disagrees with the objection to the Specification as 37 CFR §1.77(b) discloses a *suggested* format for the arrangement of the disclosure. Applicant respectfully submits that the present disclosure follows the suggested format where applicable. With regard to 37 CFR§1.77(c), which was not cited in the Office · Action, Applicant respectfully submits that section headings are suggested but not required, as 37 CFR §1.77(c) clearly states the sections defined in paragraphs (b) (1) through (b) (11) "should" be preceded by a section heading.

Applicant respectfully declines to amend the disclosure to include the suggested headings at this time.

With regard to the objection to claims 3 and 6, applicant thanks the Examiner for his observation and has amended the claims to correct the errors noted in Claim 3. However, with regard to claim 6, applicant has amended to the claim to more clearly recite that the behavior is associated with one or more templates. No new matter has been added. Support for the amendment may be found at least on page 5, lines 21-30.

For the amendments made to the claims, applicant submits that the reason for the objection has been overcome.

With regard to the rejection of the claims under 35 USC 112, first paragraph, applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in order to advance the prosecution of this matter, claim 9 has been cancelled and claims 11, 14 and 15 have been amended to clarify subject matter claimed.

With regard to claim 11, the Office Action asserts that for the subject matter recited in claim 11, there is no explanation of how to combine the audio/video with the robotic commands.

However, contrary to the assertions made in the Office Action with regard to rejecting the claim as being not enabling, applicant submits that the combining of data files (whether audio or video) with program instruction is well-known in the art and, thus,

a detailed recitation of such processor is not necessary for enabling one skilled in the art to practice the invention claimed.

Accordingly, for the amendments made to the claims and for the remarks made herein, applicant submits that the reason for the rejection has been overcome.

With regard to the rejection of claim 13 under 35 USC 112, second paragraph, applicant respectfully disagrees with and explicitly traverses the rejection of the claims. With regard to the selection of which of the behavioral templates is selected, the written description discloses that the RBL behavioral templates describe how each high level behavior is transformed or mapped into low-level language commands (see page 5, lines 18-21) and each RSL commands may have any number of RBL templates (see page 5, lines 27-30. In addition, the specification provides an example that provides assistance in explaining the inter-relationship of the different elements claimed on page 5, line 19-30 ("smiling" is transformed using the rule of 'instructing the robot to move its cheeks up and down rapidly.'"

Hence, the written description teaches one skilled in the art that behaviors are defined by a set of rules in the templates and it would be known to those skilled in the art that the searching of the template based on a desired behavior would consist of searching one set of data using a mapping function. For example, the behavior "smiling" is associated with a "smiling template" that may include one or more rules," regarding the actions to cause this operation or one or more templates wherein the rules within the "smiling template" define rules or additional templates associated with the "smiling template."

Accordingly, one skilled in the art would understand and recognize the mapping of the behavior to the behavior template, in one or more forms, as described in the written description without requiring a detailed recitation of such processing.

For the remarks made herein, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the rejection of claims 1-10 and 12-15 under 35 USC 103(a) as being unpatentable over Ridge (PCT Printed Publication WO02/29715), applicant respectfully disagrees with, and explicitly traverses, the reason for the rejection. However, in the interest of advancing the prosecution of this matter, independent claims 1 and 12 have been amended to clarify that the first set of program statements are associated with graphic icons that define the behavior. No new matter has been added. Support for the amendment may be found at least on page 5, lines 1-10 and Figure 1.

Ridge discloses a system for programming behavior of synthetic creatures by creating digital stores in a graphical environment for imitating the behaviors, actions and expression of humans and other living creatures. Ridge discloses the used of a Document Definition Table (see Table 2) that defines a document structure (script) that may be used to parse a story (see Table 3) developed by a user. The story includes a plurality of behaviors, actions and expressions that are parsed (see Table 4) using the Document Type Definition table (i.e., Table 2). After parsing the provided story, using known sentence structures, verbs (i.e., action words) are located and mapped to associated behavior structures (see Table 5).

However, Ridge fails to provide any teaching regarding icons for representing the behaviors, as is recited in the claims.

Although Ridge refers to a "visual behaviour programming tool" (see page 17, line 1), to create stories visually, this tool is used as tool to assist in creation of the features of the story. For example, Ridge discloses that the tool may include a menu bar, scene preparation window, script creation window, program window and story display window. (page 17, first paragraph). The menu bar is used to start the story and create multiple scenes and their sequence. The scene preparation window provides tools for preparing a scene before programming to add synthetic objects into a scene or position them within the scene. The script preparation window and program window are used for programming behavior of the synthetic creatures (i.e., robots). These windows are used as templates to formulate the sentences that become the story. The template includes object tool boxes, verbs tool box and preposition tool box 28. The user may select from the appropriate box to the create the desired sentence. See page 18, first full paragraph,

which states "[w]hen the sentence button 40 is clicked, a sentence template 44 appears in the program window 16. A sentence consists of empty boxes 46 representing subject, verb, indirectoObject, directObject, preposition and object tuples, each tuple representing a prepositionPhrase. To fill up the [sentence] template, the user would have to click on one of these sentence elements 46 and click on a corresponding icon or button in the objects tool box 24, verbs toolbox 26 or preposition tool box 28."

Hence, the concept of using icons to represent the behaviors is contrary to the teaching of Ridge as Ridge fails to provide any disclosure regarding obtaining a first set of programming statements from graphic representations of the behavior or any structure that would translate the first set of program statements obtained from icon information into story presentation that may then be translated using the Document Type Definition Table.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, a prima facie case of obviousness has not been made as the cited reference fails to disclose a material element recited in the independent claims.

For at least this reason, applicant submits that the reasons for the rejection of the independent claims have been overcome. Withdrawal of the rejection is respectfully requested.

With regard to the remaining claims, these claims depend from each of the independent claims and, hence, also include subject matter not disclosed by the cited reference. .

For the amendments made to the claims and for the remarks made herein, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Applicant notes that the Office Action refers to the Attorney Docket No. as US0202606 and respectfully requests that all future communications refer to the Docket No as US020606US.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,

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